



DONALD L. WOLFE, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

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IN REPLY PLEASE

REFER TO FILE: **C-1**

April 20, 2006

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

### **ADOPT, ADVERTISE, AND AWARD**

#### **MAIN STREET**

#### **SUPERVISORIAL DISTRICT 2**

#### **3 VOTES**

#### **IT IS RECOMMENDED THAT YOUR BOARD:**

1. Find that this project is exempt from the provisions of the California Environmental Quality Act.
2. Approve the project and delegate authority to the Director of Public Works, or his designee, to adopt the plans and specifications for Main Street, Rosecrans Avenue to Alondra Boulevard, in the vicinity of Rosewood, at an estimated cost between \$600,000 and \$700,000.
3. Instruct the Executive Officer of the Board of Supervisors to advertise the project upon receiving notification from the Director of Public Works, or his designee, that the latest instructions for the Disadvantaged Business Enterprise (DBE) program requirements have been received from the California Department of Transportation (Caltrans).

4. Instruct the Executive Officer of the Board of Supervisors to seal and return the plans and specifications to Public Works for filing.
5. Authorize the Director of Public Works, or his designee, to award and execute a contract with the lowest responsible and responsive bidder within or less than the estimated cost, approve the Faithful Performance and Labor and Material Bonds submitted by the contractor, and deliver the project.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

This action involves contracting for the resurfacing of the roadway pavement and the installation of striping and pavement markings.

This project is part of Public Works' ongoing highway construction and maintenance program.

#### **Implementation of Strategic Plan Goals**

This project is consistent with the County Strategic Plan Goal of Service Excellence since it will provide improved highway facilities for the traveling public.

#### **FISCAL IMPACT/FINANCING**

The estimated construction cost is in the range of \$600,000 to \$700,000.

This project will be administered under the Federal Surface Transportation Program covered by Agreement No. 71078 with the State of California. Under this program, Federal funds allocated to local agencies are used to finance a portion of the cost of qualifying road improvement projects. We are also seeking a Rubberized Asphalt Concrete grant from the California Integrated Waste Management Board to be used toward the pavement work.

This project is included in the Fiscal Year 2005-06 Road Fund Budget.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The enclosed plans and specifications include the contractual provisions, methods, and material requirements necessary for this project. The contract agreement will be in the form previously approved by County Counsel.

Caltrans has advised cities and counties that a Federal Ninth Circuit Court of Appeals decision may affect contractual requirements for DBE participation in Federally funded road and bridge projects. Upon the conclusion of their fact finding, Caltrans will inform cities and counties of any new requirements. The contract documents for this project must incorporate the new requirements before the plans and specifications can be approved and the project advertised for construction bids. As a result, to meet our commitment for delivery of this much needed roadway improvement, we are requesting your Board's delegation of the authority to adopt the plans and specifications, advertise the construction contract for bids, and award the construction contract to the lowest responsible and responsive bidder upon receipt of the new DBE program requirements from Caltrans.

As required by your Board, language has been incorporated into the project specifications stating that the contractor shall notify its employees, and shall require each subcontractor to notify its employees, that they may be eligible for the Federal Earned Income Credit under the Federal income tax laws.

### **ENVIRONMENTAL DOCUMENTATION**

This project is categorically exempt pursuant to Class 1, Subsections (x)(2), (x)(4), and (x)(14), of the revised County Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987.

### **CONTRACTING PROCESS**

This project will be contracted on an open competitive bid basis. The contract will be awarded to the lowest responsible bidder meeting the criteria established by your Board and the California Public Contract Code.

To increase contractor awareness of our program to contract work to the private sector, this project will be listed on the County website for upcoming bids.

To ensure that the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report False Claims Act violations, labor law/payroll violations, debarments, civil litigation history, and prior criminal convictions. The information reported will be considered before making a recommendation to award.

The project specifications contain provisions requiring the contractor to (1) comply with the County's Child Support Compliance Program, (2) report solicitations of improper consideration by County employees and allowing the County to terminate the contract if it is found that the contractor offered or gave improper consideration to County employees, (3) comply with the requirements of the County's Contractor Employee Jury Service Program, and (4) comply with the Newborn Abandonment Law (Safely Surrendered Baby Law).

The project specifications also contain a provision that, should the contractor require additional or replacement personnel to fill employment openings, consideration shall be given to hiring qualified participants in the County's Greater Avenues for Independence or General Relief Opportunities for Work Programs.

On December 19, 2000, your Board adopted a program for the use of small minority and women-owned businesses on Federally funded highway construction contracts. Companies meeting these requirements are certified by the State as Disadvantaged Business Enterprises (DBEs). Caltrans' new program may require cities and counties to follow the Statewide program rules unless specific disparity in construction contracting can be documented in the County.

#### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

The project is to be completed in 45 working days. It is estimated that the work will start in August and be completed in October 2006. Local residents and businesses will be informed that traffic and local access will be mildly disrupted during the construction.

The Honorable Board of Supervisors  
April 20, 2006  
Page 5

**CONCLUSION**

Please return one adopted copy of this letter to Public Works.

Respectfully submitted,

DONALD L. WOLFE  
Director of Public Works

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Enc.

cc: Chief Administrative Office  
County Counsel  
Office of Affirmative Action Compliance